

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

KUSHAUN WATSON,	:	Civil No. 07-5616 (FLW)
	:	
Plaintiff,	:	<b>ORDER</b>
	:	
v.	:	
	:	
CITY OF NEW BRUNSWICK, <u>et al.</u> ,	:	
	:	
Defendants.	:	
	:	

**THIS MATTER** is before the Court upon Defendants City of New Brunswick and New Brunswick Police Department's ("Defendants") Letter Application, dated September 3, 2008, to Dismiss Plaintiff's Complaint with prejudice; it appearing that this matter was referred to the Honorable John J. Hughes, U.S.M.J., pursuant to 28 U.S.C. § 636(b)(1), for a Report and Recommendation; it appearing that on July 29, 2008, Magistrate Judge Hughes entered an Order to Show Cause why Plaintiff's Complaint should not be dismissed by August 28, 2008 and to date Plaintiff has failed to comply with the Court's Order; it further appearing that to date Plaintiff has yet to provide Defendants with Fed. R. Civ. P. 26 disclosures or responses to Defendants' discovery requests; it appearing that Magistrate Judge Hughes applied the Poulis factors to determine whether dismissal is appropriate pursuant to Rule 41 for want of prosecution, and, for the reasons stated in his Report and Recommendation, recommends to this Court to dismiss Plaintiff's Complaint; it appearing that Plaintiff has not objected to Magistrate Judge Hughes' Report and Recommendation pursuant to L. Civ. R. 72.1(c)(2); accordingly, for the reasons stated in the October 8, 2008 Report and Recommendation; and for good cause shown,

**IT IS** on this 5th day of November, 2008,

**ORDERED** that the Court approves and adopts the October 8, 2008 Report and Recommendation of the Honorable John J. Hughes, U.S.M.J.; and it is further

**ORDERED** that Plaintiff's Complaint is hereby **DISMISSED** without prejudice based on the fact that Plaintiff failed to comply with the Court's Order pursuant to Fed. R. Civ. P. 41; and it is further

**ORDERED** that the Clerk of the Court shall mark this case CLOSED.

/s/ Freda L. Wolfson  
Freda L. Wolfson, U.S.D.J.